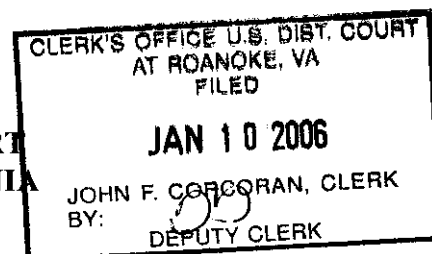


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION



EARL MILLS,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

Civil Action No. 7:05cv00525

**FINAL ORDER**

By: Samuel G. Wilson  
United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that respondent's motion to dismiss is **GRANTED**. This matter is **STRICKEN** from the active docket of the court.

Mills is advised he may appeal this decision pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 60 days of the entry of this order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to all parties.

ENTER: This 9th day of January, 2006.

  
UNITED STATES DISTRICT JUDGE